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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,875	09/29/2003	Bernard Rummel	09700.0063	9206
22852 7590 12/21/2006 FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER WATT, CHRIS A	
			ART UNIT 2174	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		12/21/2006	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/674,875	Applicant(s) RUMMEL ET AL.	
	Examiner Chris Watt	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to Amendment filed October 19, 2006.
2. Claims 1-15 are pending in this application. Claims 1, 8 and 15 are independent claims. In the instant Amendment, claims 1, 8 and 15 were amended. This action is made final.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

4. Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Coleman et. al ("Coleman" US Patent No. 5,828,374).

Regarding independent claim 1, Coleman teaches a computer program product (FIGURE 1, col. 7 lines 52-55), tangibly embodied in an information carrier (50, 52, 55, 60, 62), comprising instructions operable to cause data processing apparatus (52, col. 7 lines 45-47) to display application data (138, col. 9 lines 41-45) in user interface elements (i.e. 176, "working area" 145, 150), the user interface elements comprising two or more independent elements (176, "plurality of letters" col. 11 lines 4-7) and one or more dependent elements (170, col. 9 lines 53-55), where one of the independent elements (176, "plurality of letters" col. 11 lines 4-7) can have the property of being the selected element (175, col. 9 lines 60-64, col. 10 lines 7-8), and where the application data displayed in the dependent elements (170, col. 9 lines 60-62) is made to correspond to the application data displayed in the selected element (170, 175, 176, col. 10 lines 7-8), receive user input from a user (col. 11 lines 20-28) to establish a normal

mode ("releases switch" col. 11 lines 20-23) or a decoupled mode ("depressing switch" col. 11 lines 20-23) of user interface operation, and receive navigation input ("dragging the cursor and slider" col. 11 lines 20-23), distinct from the user input (i.e. col. 11 lines 25-38 of Coleman: "Upon sensing the keyboard character input, CPU 52 displays the slider 175 over the corresponding character on the alpha scroll bar ... **Additionally**, the slider 175 may **also** be moved on the alpha scroll bar 176" (emphasis added)), to navigate from one user interface element to another user interface element ("over the desired letter" col. 11 lines 20-23), where in the normal mode ("releases switch" col. 11 lines 20-23), navigation to an independent element ("over the desired letter" col. 11 lines 20-23), with the navigation input is sufficient (i.e. col. 11 lines 29-38 of Coleman: "**Upon sensing the placement of the cursor** 44 over scroll bar 250 and the depression of the switch 46, the CPU 52 scrolls through the listing of entries in a direction toward the cursor 44 until the switch 46 is released by the user. Once the switch 46 is released, the CPU 52 **displays the slider 175 over the character** representing the current entry at the top of the entry list (see FIG. 19(c))" (emphasis added)) to cause the independent element to become the selected element ("a letter may be selected by ..." col. 11 lines 20-23), and where in the decoupled mode ("depressing switch" col. 11 lines 20-23), navigation to an independent element ("dragging the cursor and slider over the desired letter" col. 11 lines 20-23) does not change which, if any, of the independent elements ("plurality of letters" col. 11 lines 4-7) is the selected element ("at which point the user releases the switch" col. 11 lines 20-23, also note element not selected beneath cursor 44 in FIGURE 5).

Art Unit: 2174

As to claim 8, Coleman teaches a computer implemented method (FIGURES 18-19d), comprising: displaying application data in user interface elements (i.e. 176, "working area" 145, 150), the user interface elements comprising two or more independent elements (176, "plurality of letters" col. 11 lines 4-7) and one or more dependent elements (170, col. 9 lines 53-55), where one of the independent elements (176, "plurality of letters" col. 11 lines 4-7) can have the property of being the selected element (175, col. 9 lines 6-64, col. 10 lines 7-8), and where the application data displayed in the dependent elements (170, col. 9 lines 60-62) is made to correspond to the application data displayed in the selected element (170, 175, 176, col. 10 lines 7-8), receiving user input from a user (col. 11 lines 20-28) to establish a normal mode ("releases switch" col. 11 lines 20-23) or a decoupled mode ("depressing switch" col. 11 lines 20-23) of user interface operation, and receiving navigation input ("dragging the cursor and slider" col. 11 lines 20-23) , distinct from the user input (i.e. col. 11 lines 25-38 of Coleman: "Upon sensing the keyboard character input, CPU 52 displays the slider 175 over the corresponding character on the alpha scroll bar ... **Additionally**, the slider 175 may **also** be moved on the alpha scroll bar 176" (emphasis added)), to navigate from one user interface element to another user interface element ("over the desired letter", col. 11 lines 20-23), where in the normal mode ("releases switch" col. 11 lines 20-23), navigation to an independent element ("over the desired letter" col. 11 lines 20-23) with the navigation input is sufficient (i.e. col. 11 lines 29-38 of Coleman: "**Upon sensing the placement of the cursor** 44 over scroll bar 250 and the depression of the switch 46, the CPU 52 scrolls through the listing of entries in a direction toward the

Art Unit: 2174

cursor 44 until the switch 46 is released by the user. Once the switch 46 is released, the CPU 52 ***displays the slider 175 over the character*** representing the current entry at the top of the entry list (see FIG. 19(c))" (emphasis added)) to cause the independent element to become the selected element ("a letter may be selected by ..." col. 11 lines 20-23), and where in the decoupled mode ("depressing switch" col. 11 lines 20-23), navigation to an independent element ("dragging the cursor and slider over the desired letter" col. 11 lines 20-23) does not change which, if any, of the independent elements ("plurality of letters" col. 11 lines 4-7) is the selected element ("at which point the user releases the switch" col. 11 lines 20-23, also note element not selected beneath cursor 44 in FIGURE 5).

As to claim 15, Coleman teaches an apparatus comprising: means for displaying application data (138, col. 9 lines 41-45) in user interface elements (i.e. 176, "working area" 145, 150), the user interface elements comprising two or more independent elements (176, "plurality of letters" col. 11 lines 4-7) and one or more dependent elements (170, col. 9 lines 53-55), where one of the independent elements (176, "plurality of letters" col. 11 lines 4-7) can have the property of being the selected element (175, col. 9 lines 60-64, col. 10 lines 7-8), and where the application data displayed in the dependent elements (170, col. 9 lines 60-62) is made to correspond to the application data displayed in the selected element (170, 175, 176, col. 10 lines 7-8), means for receiving user input from a user (col. 11 lines 20-28) to establish a normal mode ("releases switch" col. 11 lines 20-23) or a decoupled mode ("depressing switch" col. 11 lines 20-23) of user interface operation; and means for receiving navigation input

("dragging the cursor and slider" col. 11 lines 20-23) , distinct from the user input (i.e. col. 11 lines 25-38 of Coleman: "Upon sensing the keyboard character input, CPU 52 displays the slider 175 over the corresponding character on the alpha scroll bar ... **Additionally**, the slider 175 may **also** be moved on the alpha scroll bar 176" (emphasis added)), to navigate from one user interface element to another user interface element ("over the desired letter" col. 11 lines 20-23), where in the normal mode ("releases switch" col. 11 lines 20-23), navigation to an independent element ("dragging the cursor and slider over the desired letter" col. 11 lines 20-23) with the navigation input is sufficient (i.e. col. 11 lines 29-38 of Coleman: "**Upon sensing the placement of the cursor** 44 over scroll bar 250 and the depression of the switch 46, the CPU 52 scrolls through the listing of entries in a direction toward the cursor 44 until the switch 46 is released by the user. Once the switch 46 is released, the CPU 52 **displays the slider 175 over the character** representing the current entry at the top of the entry list (see FIG. 19(c))" (emphasis added)) to cause the independent element to become the selected element ("a letter may be selected by ..." col. 11 lines 20-23), and where in the decoupled mode ("depressing switch" col. 11 lines 20-23), navigation to an independent element ("dragging the cursor and slider over the desired letter" col. 11 lines 20-23) does not change which, if any, of the independent elements ("plurality of letters" col. 11 lines 4-7) is the selected element ("at which point the user releases the switch" col. 11 lines 20-23, also note element not selected beneath cursor 44 in FIGURE 5).

As to claim 2, Coleman teaches the computer program product of claim 1, further comprising instructions operable to: receive user input from a user ("dragging the cursor

and slider" col. 11 lines 20-23) switching to the normal mode ("releases switch" col. 11 lines 20-23) from the decoupled mode ("depressing switch" col. 11 lines 20-23) and thereupon cause the independent element specified by the most recently received navigation input ("over the desired letter" col. 11 lines 20-23) to become the selected element ("a letter may be selected by ..." col. 11 lines 20-23).

As to claim 3, Coleman teaches the computer program product of claim 1, further comprising instructions operable to: establish the decoupled mode ("depressing switch" col. 11 lines 20-23, see also col. 7 lines 1-10) when a key (e.g. 175 "F" in FIGURES 10-11, see also col. 11 lines 24-28) is pressed and held by the user ("depressing a desired character key on the keyboard" col. 11 lines 24-28), and establish the normal mode when the key is released by the user ("releases switch" col. 11 lines 20-23).

As to claim 4, Coleman teaches the computer program product of claim 3, wherein the key (e.g. 175 "F" in FIGURES 9-11, see also col. 11 lines 24-28) comprises a control key on a keyboard ("cursor control means includes ... a switch having a first position and second position ... such as ... keyboard inputs" col. 7 lines 1-10).

As to claim 5, Coleman teaches the computer program product of claim 1, further comprising instructions operable to: display application data in a table (i.e. table within "access window" 130) having two or more rows (i.e. row for "alpha scroll bar" 176 and rows for "topic area" 160) and one or more detail views (i.e. "working area" 145, 150), the rows being the independent elements and the one or more detail views being the dependent elements (i.e. note how dependent elements in detail view including "files" displayed when independent element "F" selected), where if one of the rows (i.e. row for

"alpha scroll bar" 176 and rows for "topic area" 160) is the selected element (i.e. "F" and "files" respectively in FIGURES 10-11), the application data displayed in the detail views (i.e. "index entries" (i.e. "files" in FIGURES 10-11) and "phrases" (i.e. "find a file or folder?" in FIGURE 11) respectively in figures 10-11) is made to correspond to the application data displayed in the selected element (i.e. all "index entries" related to "F" are displayed, all "phrases" (i.e. "find a file or folder?" in FIGURE 11) related to "files" are displayed).

As to claim 6, Coleman teaches the computer program product of claim 1, wherein the dependent elements (i.e. "working area" 145, 150) include first level elements ("index entries" FIGURES 10-11) and second level elements ("phrase" FIGURES 10-11), where one of the first level elements can have the property of being the first level selected element (i.e. "files" in FIGURES 10-11), and where the application data displayed in the second level elements is made to correspond to the application data displayed in the first level selected element (i.e. "How do I ... find a file or folder?" in FIGURE 11), further comprising instructions operable to: receive user input to navigate to first level elements (i.e. "placement of the cursor 44 over an entry" col. 10 lines 9-10), where in the normal mode (i.e. "momentary clicking of the switch on the mouse col. 10 lines" 10-11), navigation to a first level element (i.e. "placement of the cursor over an entry" col. 10 lines 9-10) causes the first level element to become the selected element (i.e. note outline around "files" in figures 10-11), and where in the decoupled mode ("user releases the switch on the mouse" col. 10 lines 6-7), navigation to a first level element ("placement of the cursor over an entry" col. 10 lines 9-10) does

not change which, if any, of the first level elements is the selected element (i.e. note element not selected beneath cursor 44 in FIGURE 5).

As to claim 7, Coleman teaches the computer program product of claim 6, further comprising instructions operable to: receive user input (i.e. "placement of the cursor over an entry" col. 10 lines 9-10) from a user switching to the normal mode (i.e. "momentary clicking of the switch on the mouse col. 10 lines" 10-11) from the decoupled mode ("user releases the switch on the mouse" col. 10 lines 6-7) and thereupon cause the first level element specified by the most recently received navigation input (i.e. "placement of the cursor over an entry" col. 10 lines 9-10) to become the first level selected element (i.e. note cursor 44 selecting "files" in FIGURE 10).

As to claim 9, Coleman teaches the method of claim 8, further comprising: receiving user input from a user ("dragging the cursor and slider" col. 11 lines 20-23) switching to the normal mode ("releases switch" col. 11 lines 20-23) from the decoupled mode ("depressing switch" col. 11 lines 20-23) and thereupon cause the independent element specified by the most recently received navigation input ("over the desired letter" col. 11 lines 20-23) to become the selected element ("a letter may be selected by ..." col. 11 lines 20-23).

As to claim 10, Coleman teaches the method of claim 8, further comprising: establishing the decoupled mode ("depressing switch" col. 11 lines 20-23, see also col. 7 lines 1-10) when a key is pressed and held by the user ("depressing a desired

Art Unit: 2174

character key on the keyboard" col. 11 lines 24-28); and establishing the normal mode when the key is released by the user ("releases switch" col. 11 lines 20-23).

As to claim 11, Coleman teaches the method of claim 10, wherein the key (e.g. 175 "F" in FIGURES 9-11, see also col. 11 lines 24-28) comprises a control key on a keyboard ("cursor control means includes ... a switch having a first position and second position ... such as ... keyboard inputs" col. 7 lines 1-10).

As to claim 12, Coleman teaches the method of claim 8, further comprising: displaying application data in a table (i.e. table within "access window" 130) having two or more rows (i.e. row for "alpha scroll bar" 176 and rows for "topic area" 160) and one or more detail views (i.e. "working area" 145, 150), the rows being the independent elements and the one or more detail views being the dependent elements (i.e. note how dependent elements in detail view including "files" displayed when independent element "F" selected), where if one of the rows (i.e. row for "alpha scroll bar" 176 and rows for "topic area" 160) is the selected element (i.e. "F" and "files" respectively in FIGURES 10-11), the application data displayed in the detail views (i.e. "index entries" (i.e. "files" in FIGURES 10-11) and "phrases" (i.e. "find a file or folder?" in FIGURE 11) respectively in figures 10-11) is made to correspond to the application data displayed in the selected element (i.e. all "index entries" related to "F" are displayed, all "phrases" (i.e. "find a file or folder?" in FIGURE 11) related to "files" are displayed).

As to claim 13, Coleman teaches the method of claim 8, wherein the dependent elements (i.e. "working area" 145, 150) include first level elements ("index entries" FIGURES 10-11) and second level elements ("phrase" FIGURES 10-11), where one of

Art Unit: 2174

the first level elements can have the property of being the first level selected element (i.e. "files" in FIGURES 10-11), and where the application data displayed in the second level elements is made to correspond to the application data displayed in the first level selected element (i.e. "How do I ... find a file or folder?" in FIGURE 11), the method further comprising: receiving user input to navigate to first level elements (i.e. "placement of the cursor 44 over an entry" col. 10 lines 9-10) where in the normal mode (i.e. "momentary clicking of the switch on the mouse col. 10 lines" 10-11), navigation to a first level element ("placement of the cursor over an entry" col. 10 lines 9-10) causes the first level element to become the selected element (i.e. note outline around "files" in figures 10-11), and where in the decoupled mode ("user releases the switch on the mouse" col. 10 lines 6-7), navigation to a first level element ("placement of the cursor over an entry" col. 10 lines 9-10) does not change which, if any, of the first level elements is the selected element (i.e. note element not selected beneath cursor 44 in FIGURE 5).

As to claim 14, Coleman teaches the method of claim 13, further comprising: receiving user input from a user (i.e. "placement of the cursor over an entry" col. 10 lines 9-10) switching to the normal mode (i.e. "momentary clicking of the switch on the mouse col. 10 lines" 10-11) from the decoupled mode ("user releases the switch on the mouse" col. 10 lines 6-7) and thereupon cause the first level element specified by the most recently received navigation input (i.e. "placement of the cursor over an entry" col. 10 lines 9-10) to become the first level selected element (i.e. note cursor 44 selecting "files" in FIGURE 10).

Response to Arguments

5. Applicant's arguments filed October 19, 2006 have been fully considered but they are not persuasive.

Applicants argued the following:

Coleman does not teach or suggest a navigation input that is sufficient to cause an independent element to become a selected element, where the navigation input is distinct from a user input to establish a normal or decoupled mode.

The examiner disagrees for the following reasons:

Examiner's use of the cited disclosures from Coleman were by way of illustration and not by way of limitation. Coleman does, in fact, teach navigation to an independent element which causes the independent element to become the selected element (i.e. col. 11 lines 25-29 of Coleman: "A selection may also be made by the user depressing a desired character key on the keyboard 56 of FIG. 1. Upon sensing the keyboard character input, CPU 52 displays the slider 175 over the corresponding character on the alpha scroll bar 176 (see FIG. 19(b))").

Although Applicants make several references to "navigation" and "user input" early in their disclosure, the terms are never specifically defined. As such, it is necessary to read these terms as a skilled artisan normally uses them. "User input" includes the means of the user interacting with the interface provided through input devices, such as a keyboard, mouse, joystick, etc (inherent). Given this information, the breadth of Applicants' amendment suggests navigation of software independent from

Art Unit: 2174

such input. Without further information, it would seem unlikely, if not impossible, for a user to navigate any software without such input, and therefore, the two cannot be independent.

Furthermore, in addition to the fact that Coleman teaches navigation to an independent element to become the selected element (see analysis above), and in further response to Applicants' amendment and remarks, Coleman further discloses a navigation input sufficient to cause an independent element to become a selected element, where the navigation input is distinct from a user input to establish a normal or decoupled mode (i.e. col. 11 lines 29-38 of Coleman: "***Additionally***, the slider 175 may ***also*** be moved on the alpha scroll bar 176 by placing the cursor 44 over vertical scroll bar 250 and depressing switch 46. ***Upon sensing the placement of the cursor 44*** over scroll bar 250 and the depression of the switch 46, the CPU 52 scrolls through the listing of entries in a direction toward the cursor 44 until the switch 46 is released by the user. Once the switch 46 is released, ***the CPU 52 displays the slider 175 over the character representing the current entry*** at the top of the entry list (see FIG. 19(c))" (emphasis added)).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chris Watt whose telephone number is (571) 270-1046. The examiner can normally be reached on Monday-Thursday 6:30-4:00 Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 276-5619. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

\Chris A. Watt\

December 13, 2006

Application/Control Number: 10/674,875

Page 15

Art Unit: 2174

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